REMARKS

Claims 1-12, 17-27 and 62 were rejected for indefiniteness. Reconsideration and withdrawal of these rejections are respectfully requested.

As the Examiner will note, the phrase "each game played" in claim 1 has been provided with clear antecedent basis. Claim 62 has been canceled. The Examiner's attention to detail in this regard is appreciated.

Independent claim 19 has been amended to recite that "N is at least two", to address the Examiner's well taken rejection.

Claims 11, 12, 17, 18, 26, 27 and 62 were rejected for their recitations of a "trusted transactional cache". The Office Action indicated that what one person considers to be trusted may not be trusted by another.

In this regard, it is respectfully requested that the applicants be allowed to be their own lexicographer, as is now black letter law (citations omitted). The structure and function of the "trusted transactional cache" is defined in the written portion of the specification at pages 42, 43, 44, 54, 62 and 67 and shown in Figs. 18 and 19. Moreover, the configuration and function of "trusted transactional cache" is positively recited in the claims – such as in claim 11, a portion of which is reproduced below:

> **...comprises a trusted transactional cache, the trusted transactional cache being configured to process each committed game transaction, and to provide real time persistent storage and logging of aspects of each committed game transaction.**

Therefore, it is respectfully submitted that the claims containing the "trusted transactional cache" recitation do not lack for indefiniteness, and that those who would be confused by the

scope or meaning of such phrase would find ample explanations thereof in the originally filed specification and claims.

Reconsideration and reconsideration of the 35 USC §112(2) rejections are, therefore, respectfully requested.

Claims 1-5, 9, 11 and 12 were rejected as being anticipated by Chung et al. (Hereafter, Chung) Reconsideration and withdrawal of these rejections are respectfully requested.

In Chung, there is one Game Server 12 to service a plurality of handheld gaming devices/PCs (implementation 1, Fig. 1) or two Game Servers configured to service a greater number of such devices (implementation 2, Fig. 2).

The first implementation shown in Fig. 1 does not meet the "at least two central servers" recitation of claim 1. In the two server implementation of Fig. 2, Chung tells us in Col. 7, lines 13-19 that:

> **As noted above, the system 30 illustrated in FIG. 2 is intended for a greater number of users. It is similar to the system illustrated in FIG. 1. However, this embodiment utilizes server clustering. The embodiment illustrated has two game servers 12, although other embodiments may have additional game servers 12. The game servers 12 are supported by a back end database 32.**

Therefore, the two servers 12, 20 of Fig. 2 are intended to function and appear as a single server to the handheld gaming devices/PC 114, 214 and 314 (just like the implementation of Fig. 1). Chung further tells us that the implementation of Fig. 2 utilizes "server clustering". Server clustering is further detailed in the supporting document provided in the Office Action, entitled "An Introduction to SQL Server Clustering". This document tells us

> **More specifically, clustering refers to a group of two or more servers (generally called nodes) that work together and represent themselves as a single virtual server to a network. In other words, when a client connects to clustered SQL servers, it thinks there is only a single SQL server, not more than one. (See page 1, bottom paragraph.)**

Also,

> **Typically, a client will connect to the SQL server cluster using the virtual name used by the cluster. And as far as the client is concerned, there is only one physical SQL server, not two. (See page 3, bottom paragraph.)**

Therefore, even though more than one server may be clustered, the servers appear to the client computers (in this case, the PCs 114, 214 and 314) as a single server – whether the cluster is operating in Active/Active mode (one instance of SQL server running on each of the two nodes) or in Active/Passive mode (one instance of SQL server running one of the servers, the other server being passive until failure of the first server).

Therefore, Chung specifically discloses that, from the client's point of view, there is only one server – which is the antithesis of the claimed embodiments. Therefore, Chung teaches for each handheld gaming device/PC to communicate with only one server (with the handheld gaming device /PC not knowing whether that server is clustered or not).

In Chung, the handheld gaming device/PCs have no discretion as to where to send their communication packets – they all get sent to the (clustered) game server(s) 12, 20, without any regard to load balancing. In the claimed embodiment, the at least one gaming send a separate transaction packet to each of the at least two central servers as clearly illustrated in Fig. 12.

The Examiner's attention is respectfully drawn to the language of amended claim 1:

> **1. (Currently Amended) An online gaming system, comprising:**
>
> **...**
>
> **at least two central servers, each of the at least two servers being coupled to the network, and**
>
> **at least one gaming machine coupled to the communication network, each of the at least one gaming machine being configured to play at least one game and to carry out a game transaction for each game played and to commit each game transaction to each of the at least two central servers by sending a separate transaction packet to each of the at least two central servers.**

Therefore, claim 1 explicitly requires that each gaming machine is configured to commit each game to each of the (at least two) central servers. This is not the case in Chung. Moreover, claim 1 has been amended to recite that the recited transaction commit includes sending a separate transaction packet to each of the at least two central servers. Chung does not do this because, by definition, a cluster of servers appears to the handheld gaming device/PCs as a single server and there would be no need to send more than one transaction packet to a cluster of servers. Chung does not recite any handheld gaming device/PCs that are configured to send a separate transaction packet to two or more central servers upon committing a transaction, as required by amended claim 1. Reconsideration and withdrawal of the §102(e) rejections are, therefore, respectfully requested.

Claims 8, 10 and 13-27 were rejected as unpatentable over Chung. Reconsideration and withdrawal of these rejections are respectfully requested.

Independent claim 13 recites:

> **at least two geographically dispersed central servers, each of the at least two geographically dispersed central servers being coupled to the communication network,**
>
> **at least two gaming machines, each of the at least two gaming machines being coupled to the communication network and being configured to carry out a game transaction for each game played, the at least two gaming machines being configured to carry out load balancing when committing the game transactions to the at least two geographically dispersed central servers over the communication network.**

Therefore, claim 13 requires that the gaming machines be configured to carry out load balancing when committing the game transactions to the geographically dispersed central servers. The Office points to Fig. 2 and col. 1, lines 39-52 and col. 7, lines 15-20 for support of the rejection. Fig. 2 of Chung, however, merely shows two servers 12, 20 that are clustered – they appear as a single server to the clients 114, 214 and 314 – whether or not they are geographically dispersed. There is no mention, teaching or suggestion of any of the PCs 114,

214, 314 carrying out any manner of load balancing in this patent. Col. 1, lines 39-52 teaches a system for real time, full duplex communication between the server(s) and the clients. There is simply no mention in this paragraph or the remainder of Chung of any handheld gaming device/PC or any client performing load balancing. Col. 7, lines 15-20, also relied upon in the Office Action for support of the §103(a) rejection, teaches that the system may include additional servers to service the load from the users of the handheld gaming device/PCs and that these servers may be clustered. It is respectfully submitted that there is no teaching or suggestion of any gaming machines performing any load balancing in Chung.

For example, dependent claim 14 recites that "the load balancing includes having each gaming machine selecting only one of the at least two geographically dispersed central servers to which to commit the game transaction". No such teaching or suggestion is present in Chung. In Chung, the handheld gaming device/PCs have no discretion as to where to send their communication packets – they all get sent to the (clustered) game server(s) 12, 20, without any regard to load balancing.

Reconsideration and withdrawal of the 35 USC §103(a) rejections applied to the claims are, therefore, respectfully requested.

Claim 62 is canceled, without prejudice.

Applicants' attorney believes that the present application is now in condition for an early allowance and passage to issue. If any unresolved issues remain, the Examiner is respectfully invited to contact the undersigned attorney of record at the telephone number indicated below, and whatever is required will be done at once.

Respectfully submitted,

Date: Nov. 15, 2005

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